

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
FEB 02 2006
JOHN F. CORCORAN, CLERK
BY: <i>[Signature]</i>
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JIMMIE LEE CATO,)
Plaintiff,) Civil Action No. 7:05CV00070
)
v.)
)
GREGORY BONDURANT,) By: Hon. Glen E. Conrad
Defendants.) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

as follows:

1. The defendants' motion for summary judgment is **GRANTED** as to the plaintiff's remaining Bivens claim, as well as to the plaintiff's negligence claim under the FTCA;
2. Defendants Corriveau, Hatfield, Bondurant, and Johnson are dismissed from the case; and
3. The United States is substituted as the sole remaining defendant. The United States shall file a response to the plaintiff's malpractice claim under the FTCA within thirty (30) days.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the defendants.

ENTER: This 2nd day of February, 2006.

Glen Conrad

United States District Judge